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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-----------------------------|------------------|
| 09/920,387 | 07/31/2001 | Kuo-Jeng Wang | JCLA7374 | 4402 |
| 7590 J.C. Patents, Inc. 4 VENURE SUITE 250 Irvine, CA. 92618 | | | EXAMINER WORKU, NEGUSSIE | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2626 | |

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/920,387

Applicant(s)

WANG, KUO-JENG

Examiner

Negussie Worku

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's arguments, filed on Aug 08, 2005, with respect to the rejection(s) of claim(s) 1-11, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the Office action discussed below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Sakaguchi (USP 6,490,057).

With regard to claim 1, a control device (motor drive section 13 of fig 3, in conjunction with main controller CPU of fig 3. col.8, lines 12-15) for controlling a scanning speed of a scanner (scanner CCD 9 of fig 3), comprising: a decision device (scaling processor 20 of fig 3) coupled to an input device (CCD scanner 9 of fig 1) to for receiving input image data, computing and recording an accessed quantity of input

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image data within the decision device (processor 20 of fig 3), and finally outputting decision data and output image data (output image data 23 of fig 4); a driving device (driving device 17 of fig 3) coupled to the decision device (processor 20 of fig 3) for receiving the decision data; and an input/output interface (line memory 29 of fig 4) coupled to the decision device (processor 20 of fig 3) for receiving the output image data, (col..13, lines23-26).

With respect to claim 2, Sakaguchi teaches the control device (motor drive section 13 of fig 3, in conjunction with main controller CPU of fig 3. col.8, lines 12-15), wherein the decision device (processor 20 of fig 3) further includes: an image buffer (line memory 29 of fig 4) coupled to an output terminal (23 of fig 4) of the input device (CCD 9 of fig 3) for receiving the input image data, temporarily storing the input image data and outputting output image data, see (col.8, line 56-58); an up-down counter coupled to an input terminal (CCD image sensor 9 of fig 3) of the image buffer (line memory 29 of fig 4) and an output terminal of the image buffer for counting and recording data access volume inside the image buffer and outputting count data, (col.6, line 61-68 through col.7, lines 1-8); and a comparator (changeover section 33 of fig 4) coupled to the up-down counter for receiving the count data, col.8, lines 64-68, deciding whether to increase or decrease the scanning speed according to the count data and outputting the decision data (col.8, lines 64-68).

With respect to claim 3, Sakaguchi teaches the control device (motor drive section

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13 of fig 3, in conjunction with main controller CPU of fig 3. col.8, lines 12-15), wherein the up-down counter enables an up-counting function to increase a value inside the counter by one when the up-down counter detects transfer of input image data into the image buffer, (memory 29 of fig 4) and the up-down counter enables a down-counting function to decrease the value inside the counter by one when the counter detects transfer of output image data to the input/output interface (input/output interface 29 of fig 4).

With respect to claim 4, Sakaguchi teaches the control device (motor drive section 13 of fig 3, in conjunction with main controller CPU of fig 3. col.8, lines 12-15), wherein the up-down counter enables a down-counting function to decrease a value inside the counter by one when the up-down counter detects a transfer of input image data into the image buffer (memory 29 of fig 4), and the up-down counter enables a up-counting function to increase the value inside the counter by one when the counter detects a transfer of output image data to the input/output interface (input/output interface 29 of fig 4, (col.6, line 61-68 through col.7, lines 1-8).

With respect to claim 5, Sakaguchi teaches the control device (motor drive section 13 of fig 3, in conjunction with main controller CPU of fig 3. col.8, lines 12-15), wherein the input device (CCD image sensor 9 of fig 3) further includes: an optical sensor (CCD image sensor 9 of fig 4) for receiving an external signal and outputting an analogue signal (A/D 28 of fig 4); an analogue/digital converter (28 of fig 1) coupled to the optical sensor for receiving the analogue signal and converting the analogue signal

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into a digital signal, (col.8, line 45-50) and then outputting the digital signal (A/D 28 of fig 3); and an image processor (processor 20 of fig 4) coupled to the analogue/digital converter (A/D converter 28 of fig 4) and the decision device (processor 20 of fig 3) for receiving the digital signal and converting the digital signal into the input image data, and then outputting the input image data to the decision device (20 of fig 3).

With respect to claim 6, Sakaguchi teaches the control device (motor drive section 13 of fig 3, in conjunction with main controller CPU of fig 3. col.8, lines 12-15), wherein the driving device (13 of fig 3) further includes: an electric motor (motor 10 of fig 3); and a motor controller (13 of fig 3) coupled to the electric motor and the decision device (processor of fig 3) for receiving the decision data and controlling the running speed of the electric motor according to the decision data (motor drive section 13 of fig 3, in conjunction with main controller CPU of fig 3. col.8, lines 12-15).

With respect to claim 7, Sakaguchi teaches a method for controlling a scanning speed of a scanner, (motor drive section 13 of fig 3, in conjunction with main controller CPU of fig 3. col.8, lines 12-15) comprising: providing count data; providing a largest data access volume; and determining the scanning speed of a scanner (motor drive section 13 of fig 3, in conjunction with main controller CPU of fig 3. col.8, lines 12-15), according to a ratio between the count data and the largest data access volume (line memory 29 of fig 4).

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With respect to claim 8, Sakaguchi teaches the control method (motor drive section 13 of fig 3, in conjunction with main controller CPU of fig 3. col.8, lines 12-15), wherein the scanner scans at full speed when the count data is greater than $3/4$ of the largest data access volume, (col.6, lines 61-68 through col.7, lines 1-5).

With respect to claim 9, Sakaguchi teaches the control method (motor drive section 13 of fig 3, in conjunction with main controller CPU of fig 3. col.8, lines 12-15), wherein the scanner scans at $3/4$ of full speed when the count data is smaller than $3/4$ of the largest data access volume but greater than $1/2$ of the largest data access volume, (col.6, lines 61-68 through col.7, lines 1-5).

With respect to claim 10, Sakaguchi teaches the control method (col.6, lines 61-68 through col.7, lines 1-5), wherein the scanner scans at $1/2$ of full speed when the count data is smaller than $3/4$ of the largest data access volume but greater than of the largest data access volume (col.6, lines 61-68 through col.7, lines 1-5)..

With respect to claim 11, Sakaguchi teaches the control method (motor drive section 13 of fig 3, in conjunction with main controller CPU of fig 3. col.8, lines 12-15), wherein the scanner scans at $1/4$ of full speed when the count data is smaller than $1/4$ of the largest data access volume (col.6, lines 61-68 through col.7, lines 1-5).

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Negussie Worku
Art unit 2626
10/21/05


KIMBERLY WILLIAMS
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